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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The right to food

Report of the High Commissioner for Human Rights submitted in accordance with Commission resolution 1999/24

SUMMARY OF REPLIES

1. In implementation of Commission resolution 1999/24, the High Commissioner sent on 21 September 1999 notes verbales to Governments and letters to relevant specialized agencies and programmes, treaty bodies, as well as non-governmental organizations, inviting them to submit comments and suggestions. By 30 November 1999, replies had been received from one Government, one specialized agency, two United Nations programmes and three human rights treaty bodies. Summaries of these replies are contained in document E/CN.4/2000/48.

2. Since then, the High Commissioner has received additional replies from four Governments, Costa Rica, Cuba, Pakistan and Thailand, which are summarized in this addendum.

Costa Rica

3. Costa Rica referred to the general legal framework created by articles 50 and 51 of the Constitution as well as to the Children's and Adolescent's Code (Law No. 7739 of 6 January 1998), which placed the State and its institutions under an obligation to provide food to minors and pregnant women when required by family, medical or employment circumstances.

4. So far, per capita subsidies of 48,000 colones have been provided by the Mixed Social Assistance Institute (IMAS), covering 50 per cent of the total number of 9,000 adolescents considered to be living in extreme poverty. IMAS, established by the law of 1971, is responsible for resolving the problem of extreme poverty in the country through the formulation and implementation of a national social and human resources promotion policy for the most disadvantaged sectors.

5. It is the Government's intention to tackle the structural problems underlying poverty and to promote a strategy with a view to reducing it from the present 19.7 per cent to 16 per cent in 2001 by means of programmes which will directly benefit families living in poverty. In this context, food constitutes one of the cornerstones of basic primary assistance and for this reason social programmes have been formulated to ensure the equitable distribution of food; however, it has not been possible so far to cover all families living in poverty.

6. School food vouchers, school canteens, community homes and health services have been provided under these social programmes. Yet much of the assistance under these programmes has gone to middle-income groups and not to the most unprotected because, among other things, the functions of social assistance agencies overlap and social programmes are fragmented and lack proper coordination.

7. It is estimated that 270,000 children are at present living in extreme poverty. Of this number, 116,000 are adolescents and young persons; about 45,000 are at risk from a social point of view and approximately 6,000 eke out a living on the streets of the capital. In 1996, the infantile malnutrition rate had declined to 22.44 per cent. The Infantile Nutrition and Development Programme is directed above all at infants and children up to 7 years of age living below the poverty line as well as pregnant women or breastfeeding mothers living below the poverty line, the emphasis being on adolescents.

8. Moreover, 90 per cent of schools and 70 per cent of students are covered by the school canteen programme. An amount of 8.707 million colones was earmarked for this programme for 1999 and 4.550 million colones are spent on food, namely, snacks and lunch. Breakfast is also provided in schools with only one teacher, which are given priority. The programme covers a total of 477,500 students for 200 days in the year.

9. The First Vice-President of the Republic is in charge of the "Solidarity Triangle" programme established by Executive Decree No. 27076 (Official Gazette of 5 June 1998). Its objective is the continuing development of human resources with all those concerned participating in programmes and projects designed to benefit families and communities. Interaction between the community, local government authorities and the national Government is promoted so as to develop a sense of association with and responsibility for the project. As at 1 November 1999, the Triangle programme had been extended to cover 53 per cent of the national territory and 30 per cent of the total population.

10. In the case of food, the Triangle intends to increase the budget of the school canteen programme by 600 million colones, provide comprehensive assistance to 130,000 children of under 6 years of age, provide milk to 90,000 persons and food packages to 7,000.

Moreover, 1.458 million colones will be earmarked to provide assistance to 4,800 families (23,000 persons) who are socially disadvantaged and living in extreme poverty and who will receive a supplementary family income.

Cuba

11. Cuba considers that a sound point of departure for making clear what is meant by the right to food is the definition given in article 4 of the so-called "Code of conduct on the human right to adequate food" which was adopted in September 1997 by a number of non-governmental organizations. However, this definition could be improved by the addition of the following three points:

(a) Recognition of and respect for the diversity of nutritional habits;

(b) Inclusion of a reference to the elimination of inequalities on grounds of sex and the need to give greater priority to children and the elderly; and

(c) Codification of the prohibition to deny individuals and peoples access to food whether in the context of military strategies, the application of unilateral coercive measures or international sanctions designed to exert political and economic pressure.

12. Measures for the implementation of the right to food should take the following into account:

(a) Although the State is primarily responsible for the implementation of this right and should therefore adopt a strategy consistent with its resources and capacities to achieve its individual goals, it is nevertheless true that in a world of increasingly interlinked institutions, societies and economies, efforts must be coordinated and responsibilities shared. The right to solidarity should be recognized and codified;

(b) A peaceful, stable and enabling political, social and economic environment is the essential foundation which will enable States to give adequate priority to food security and poverty eradication as well as sustainable and equitable development;

(c) Promotion of suitable technology transfer policies and programmes, development of technical know-how and training corresponding to the needs of the developing countries;

(d) Elimination of the untenable consumption and production models of the industrialized countries;

(e) Adoption of urgent measures for the alleviation and cancellation of the external debt of the developing countries and in particular that of the poorest and highly indebted countries;

(f) Prohibit the adoption of coercive unilateral measures not in accordance with international law and the Charter of the United Nations which endanger food security and use food as an instrument of political and economic pressure.

Pakistan

13. Pakistan stated that the money collected through *Zakat* and through the institution of *Bait-ul-Mal* (Public Treasury) is used to provide assistance to the poor. A food stamp system is also functioning to provide food items at nominal or subsidized prices. A system of social protection has been introduced to provide the poor with some kind of income support. The self-targeting measures guaranteeing work on public project in return for the subsistence wage has been introduced. Nutrition programme, feeding programmes in school and food for work are being experimented on a small scale to provide a safety net to those living in extreme poverty.

14. The Aga Khan Rural Support Programme, the National Rural Support Programme, the Orangi Pilot Project and Edhi Trust are fighting against extreme poverty. Recently, the Pakistan Poverty Alleviation Fund has been established to tackle the issue of poverty by providing micro credit, improvement of local level structure and institutional building.

Thailand

15. Thailand stated that the 8th National Food and Nutrition Plan adopted the nine strategies summarized below, followed by specific targets and operational plans:

(i) To develop appropriate and adequate production, processing and distribution of foods for nutrition. Food supplementation will be developed, taking into consideration economical and social changes as well as mechanisms of marketing, for promotion and rectifying the nutrition situation in target population in consistency with nutrition related problems.

(ii) To propagate proper nutrition knowledge and food value taste among the general public and specific target population for a change towards best behaviour in food selection for consumption and creation of self-care on food and nutrition.

(iii) To establish standards and impose legal action for consumer protection on food and nutrition; and to extend knowledge and understanding on food and nutrition to consumers so that they are capable of proper food purchasing and eating.

(iv) To promote, protect and support breastfeeding and infant food supplementation.

(v) To eliminate malnutrition of pregnant women, preschool and school children.

(vi) To develop indicators for nutrition surveillance for family and community implementation; to develop nutrition surveillance for policy making and planning on nutrition.

(vii) To strengthen the role of family and community on food and nutrition surveillance, planning and assessment.

(viii) To strengthen knowledge on food and nutrition of personnel at all levels as well as those relevant to food and nutrition for efficiency in working and researching, to promote and coordinate research results among various organizations.

(ix) To transform food and nutrition plans into effective action; to develop organizations to coordinate, monitor and evaluate food and nutrition continuously at all levels.

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